

REMARKS

Claims 1-31 are pending in this application. Claims 1, 16, 18, 20, and 26 have been amended. Claims 2, 3, and 17 have been cancelled.

Claims 1-8 and 16-19 stand rejected under 35 U.S.C. 103(a) as unpatentable over McLaughlin U.S. Patent No. 6,078,646 ("McLaughlin") in view of Zitting U.S. Patent No. 6,584,148 ("Zitting"). The remaining pending claims, claims 9-15 and 20-31, stand rejected under 35 U.S.C. 103(a) as unpatentable over McLaughlin in view of Zitting and further in view of Bleile U.S. Patent No. 6,295,348 ("Bleile"). Of the rejected claims, claims 1, 16, 20, and 26 are independent claims.

Claims 1, 20, and 26, and their respective dependent claims

Independent claims 1, 20, and 26 have been amended. Specifically, claim 1 now recites that the data detector is a frequency shift key (FSK) data detector, and that the detected data are encoded in accordance with the GR-30 standard. Claim 1 has been further amended to recite that the Loop Test Message is from a loop test server, and includes data other than caller-identification data of the loop test server. In view of these amendments, claims 2 and 3 have been cancelled.

Independent claims 20 and 26 have been likewise amended to recite that the Loop Test Message includes data encoded in accordance with the GR-30 standard other than caller-identification data of the loop test server. Claim 20 now states that the hook switch means terminates the line in response to the detection of the Loop Test Message by the detecting means.

Claim 26 has been similarly amended to state that the terminating step occurs in response to the receipt of a Loop Test Message.

Applicants submit that these amended claims, and their respective dependent claims, distinguish over the combinations of McLaughlin and Zitting (in the case of claim 1) and over the combination of McLaughlin, Zitting, and Bleile (in the case of claims 20 and 26).

McLaughlin, the primary reference in the rejections of these three independent claims, does not disclose a loop test apparatus or method in which a loop test is initiated in response to a Loop Test Message that includes data, encoded in accordance with the GR-30 standard, *other than* (e.g., in addition to or instead of) caller-identification data of the loop test server. Rather, the test in McLaughlin is initiated by the receipt, at the customer premises, of the CID (caller-identification) of the test head 12. (McLaughlin 3:37-61.)

As noted in paragraph 26 of the published version of the present application, the use of GR-30-encoded Loop Test Messages having data other than the caller-identification data of the loop test server allows for an enhanced degree of flexibility in terms of when and how the loop test is conducted:

The GR30-encoded message is a Loop Test Message defined specifically for purposes of remotely activating the loop test apparatus 10 at the customer premises, and contains message content that directs the apparatus 10 to go off-hook, as well as optional content relating to the time of day the test is performed and duration of the test.

Applicant thus submits that claims 1, 20, and 26, and their respective dependent claims, are allowable over the cited prior art, which action is requested.

Claim 16 and its dependent claims

Claim 16 has been amended to incorporate dependent claim 17. Claim 17 has accordingly been cancelled, and the dependency of claim 18 has been amended to reflect the cancellation of claim 17.

Specifically, claim 16, as amended, now recites the former claim 17 feature that, while the telephone line at the customer premises is off-hook, test signals are sent from the central location, and signals reflected back on the telephone line from the customer premises are received at the central location. In rejecting original claim 17 (which is essentially the same as presently amended claim 16), the Examiner stated, "Regarding claim 17, McLaughlin teaches loop back testing activated by using caller id." (Office Action, at 5.) However, original claim 17, like amended claim 16, did not recite the feature of "loop back testing activated by using caller id." Rather, amended claim 16 states that test signals are sent from the central location, reflected back from the customer premises, and then received at the central location. In contrast, in McLaughlin, the test signal is generated by the equipment at the customer premises (by test and measurement circuitry 120), based on the CID of the central location. (McLaughlin 3:37-61.) Thus, there is no reflection back of a test signal generated at the central location, as recited in amended claim 16.

Applicant thus submits that claim 16, and its dependent claims, are allowable over the cited prior art, which action is requested.

Applicant has not addressed all of Examiner's positions because Applicant believes its amendments have made it unnecessary to address certain positions. In doing so, Applicant does not imply agreement with Examiner and does not intend any surrender of rights. Applicant

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believes all pending claims rejected by the Examiner are allowable based on the above discussion.

Applicant further submits that the present amendments add no new matter.

Submitted herewith is a Petition for Extension of Time, together with a check for the appropriate fee. Please apply any other applicable charges, or make any applicable credits, to deposit account 06-1050, reference 10200-005001.

Respectfully submitted,



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